IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WP(C).No. 9906 of 2007(D)

PETITIONER:

K.P.RAJAN NAIR, S/O.RAMAN NAIR,
KOCHUMELETHIL HOUSE, AYROOR, KANJEETTUKARA P.O.,
RANNI, PATHANAMTHITTA.

BY ADV. SRI.S.SUBHASH CHAND

RESPONDENTS:

1.AYROOR GRAMA PANCHAYAT,
OFFICE OF THE AYROOR GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY.

2.THE SECRETARY, AYROOR GRAMA PANCHAYAT,
OFFICE OF THE AYROOR GRAMA PANCHAYAT,
AYROOR.

3.THE DISTRICT COLLECTOR,
COLLECTORATE, PATHANAMTHITTA.

*ADDL.R4.THE SUB INSPECTOR OF POLICE, KOIPURAM POLICE STATION,
PATHANAMTHITTA DISTRICT.

*ADDL.R4 IS IMPLEADED SUO MOTU VIDE JUDGMENT DATED 28.3.2007.

R2 TO R4 BY GOVT. PLEADER SMT.T.B.RAMANI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C)No.9906 of 2007

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Dated: 28th March, 2007

JUDGMENT

The Sub Inspector of Police, Koipuram Police Station, Pathanamthitta District is impleaded suo motu as additional 4th respondent in the Writ Petition. Registry will carry out necessary corrections in the cause title.

2. The Government Pleader has not been able to get instructions so far. I am of the view that no useful purpose will be served by anybody's point of view by allowing the vehicle and the load to be kept under the precincts of the additional 4th respondent. Under these circumstances, the Writ Petition will stand disposed of in the following terms:

1. The petitioner will remit cash Rs.10,000/- with the third respondent, the District Collector and obtain a receipt.

2. The petitioner will file an affidavit on stamp paper of appropriate value undertaking to produce the vehicle having Registration No.KL-06-1083 in good running condition if and when directed in that regard by the third respondent or any other competent authority.

Once the additional 4th respondent notices the original of the cash receipt and the photostat copy of the affidavit filed by the petitioner in response to the above directions, the additional 4th respondent will

forthwith release the lorry and the river sand to the petitioner. It is made clear that release as directed above will be subject to the final outcome of the adjudication proceedings presently pending before the third respondent.

srd **PIUS C.KURIAKOSE, JUDGE**